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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICARDO BANUELOS,

Defendant.

2:07-CR-137 JCM (RJJ)

**ORDER**

Presently before the court is defendant Ricardo Banuelos' motion for a certificate of appealability. (Doc. # 121).

The court has already decided this issue in the same order defendant seeks to appeal. (*See* doc. 118, 8:18-9:17). In fact, the order adjudicating the certificate of appealability issue is attached to the instant motion.

In fairness, the court has looked at the merits of defendant's instant motion and does not find any reason to revisit its previous determination that,

defendant has not made the required substantial showing of the denial of a constitutional right to justify the issuance of a certificate of appealability. Reasonable jurists would not find the court's determination that petitioner is not entitled to relief under § 2255 debatable, wrong, or deserving of encouragement to proceed further.

(Doc.# 118, 9:13-16).

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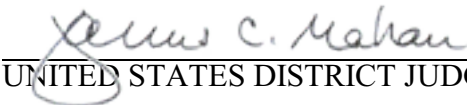
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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Ricardo Banuelos’ motion for certificate of appealability (doc. # 121) be, and the same hereby is, DENIED as moot.

DATED June 18, 2013.

  
UNITED STATES DISTRICT JUDGE